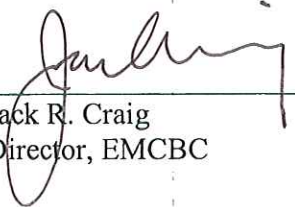



**The Service Level Agreement**  
**Between**  
**The Environmental Management Consolidated Business Center (EMCBC)**  
**And**  
**The Carlsbad Field Office (CBFO)**

The attached document provides the roles and responsibilities, authorities, and working relationships between the EMCBC and the CBFO. This Service Level Agreement shall remain in effect until such time as it is amended by the EMCBC Director and the CBFO Manager.

Approved:

  
\_\_\_\_\_  
Jack R. Craig  
Director, EMCBC

5/6/13  
Date

  
\_\_\_\_\_  
Jose R. Franco  
Manager, Carlsbad Field Office

5/6/13  
Date

**The Service Level Agreement  
Between  
Environmental Management Consolidated Business Center  
And  
The Carlsbad Field Office**

**Introduction**

The Assistant Secretary for Environmental Management, Department of Energy (DOE/EM), is responsible for the safe, efficient and effective clean-up, stabilization and remediation of nuclear and hazardous waste materials and contamination resulting from prior activities of DOE and its predecessors. Activities related to this mission are conducted at many locations around the nation and are typically staffed with federal and contractor personnel that possess technical, business, technical support & asset management, and administrative expertise.

The Carlsbad Field Office (CBFO) is responsible for the management of the DOE National TRU Program with its key activities at the Waste Isolation Pilot Plant (WIPP) and various sites in DOE including related quality assurance, characterization, and transportation activities. As one of several business support improvement initiatives, EM will be providing remote and on-site support to CBFO in several functional areas through a Consolidated Business Center (EMCBC) located in Cincinnati, Ohio. The EMCBC's mission is to provide centralized business support services to selected EM sites such as CBFO allowing CBFO resources to focus on effectively executing its TRU Waste mission.

Through this support, EMCBC will 1) provide the continuous, stable business support services to the CBFO as defined in this agreement, 2) achieve economies of scale through standardization and streamlined operations and, 3) permit EM to better utilize its site resources for front-line activities.

**EMCBC Operational Strategy**

Business support services must be available to the CBFO to achieve major project schedule EM milestones. The EMCBC will provide defined business support services to CBFO. Under this model, CBFO will continue to have mission responsibility, with the EMCBC holding specific business authorities in support of CBFO and providing support in other business services. CBFO can focus their resources on project and technical management, and oversight of CBFO contractors. Attributes of the EMCBC operational strategy as reflected in this agreement include the following:

- Stable business support for a variety of customers with differing project mission requirements and differing business support requirements;
- Ability to support multiple customers in different time zones;
- Combined use of federal employees and support service contractors (as required) to support customers;

- Optimization of FTEs between the EMCBC and its customers;
- CBFO site personnel will be provided as liaisons to support EMCBC management of business services, with support from business specialists and necessary support staff for peak workloads and specific tasks residing at EMCBC;
- An EMCBC travel budget to support planned and unscheduled site visit requirements.

The EMCBC will establish itself as an effective liaison between DOE headquarters and CBFO, when required, supporting the needs of both, but always representing the CBFO's interests and serving as the CBFO advocate and functional owner accountable to the CBFO Manager. Whenever requested, the EMCBC will accomplish headquarters' taskings on behalf of CBFO, especially when it comes to routine documentation or reporting requirements in business areas as agreed between CBFO and the EMCBC. To improve customer support and realize operational cost objectives, the EMCBC will develop standardized functional processes, procedures and policies with the concurrence of CBFO.

### **Service Approach**

A cooperative business support responsibility exists between the EMCBC and CBFO as defined in this agreement. In general, EMCBC business support functions include Human Resources Management, Contracting/Procurement, Financial Management, Cost Estimating & Project Management Support, Information Resource Management (often referred to as "IT"), Legal Services, Technical Support and Asset Management, EEO/Diversity and Employee Concerns Programs, Records Management and Office of Legacy Management (LM) transition. EMCBC will periodically provide a list of the EMCBC managers responsible for support in these functional areas. The CBFO will periodically evaluate these functional areas and the services provided for input into the manager's performance evaluation process.

The EMCBC serves as the functional area authority for the CBFO in the areas of Human Resources and Training; Financial Allotment; Contracting and Procurement; Civil Rights, Diversity and Inclusion; and the Employee Concerns Program. These functional areas will be designated as such on the CBFO organization chart and supporting documentation. CBFO will provide staff as on-site liaisons, however the EMCBC cognizant managers are responsible to assure qualified staff are performing all required functions to achieve required goals in their area. These managers have been delegated functional authority and are accountable for CBFO performance in these areas.

### **Human Resources**

The Manager of the CBFO holds line management authority and makes personnel decisions with respect to staffing level requirements, development and application of performance standards, and personnel actions. The CBFO will have a designated HR liaison who will act as the focal point with the designated EMCBC Human Resources



staff in accomplishing HR services, and another liaison who will act as the focal point with the EMCBC Human Resources staff in accomplishing workforce development/training services. The EMCBC Director maintains appointing authority, which is accomplished by the EMCBC Office of HR, who provides full-service support to include HR specialists in the following areas: Classification, Position Management to include assistance with Reorganizations and Reorganization Packages to HQ, Position Suitability Determination, Drug Testing Program, Compensation, Pay and Leave Administration, Recruitment and Placement, Employee Benefits, Work/Life Programs, Retirement, VERA/VSIP, Performance Management to include Performance Awards, Incentive and Honorary Awards, Length of Service Awards, Employee Relations, Office of Workers Compensation Program, Employee Assistance Program Coordination, Personnel Actions Processing, Electronic Official Personnel Folder (eOPF) Management, and HR Program Accountability Review. EMCBC Office of Human Resources will also support Workforce and Succession Planning as required. Human Resource Development and training services will be provided by the Office of Human Resources; effective October 1, 2012 EMCBC OHR assumed the role of the Learning and Development Training Services (L&DTS) for management of organizational training funds and execution, individual training registration and enrollment with external vendors, procurement of group training and associated logistics (as outlined in the July 17, 2012 memorandum, Change in Service Delivery Model, from Fletcher Honemond, Chief Learning Officer, Learning and Workforce Development). Delegations of HR Authority remains at the EMCBC and may not be further delegated.

### **Contracting/Procurement**

The Department of Energy (DOE) Senior Procurement Executive approved the establishment of a single EM Head of Contracting Activity (HCA) and delegated that authority to the Deputy Assistant Secretary for Acquisition and Project Management (EM-50) on November 15, 2007. Accordingly, EM-50 has delegated specific HCA functions and responsibilities to the EMCBC Assistant Director, Office of Contracting, which includes procurement authority within specified monetary levels for EM requiring activities. While EM-50 is the HCA in support of the CBFO mission, the Manager of the CBFO is responsible for day-to-day contract administration and oversight of the CBFO contracts through Contracting Officers (COs), Contract Specialists (CSs), and Contracting Officer Representatives (CORs) located in the CBFO and reporting to the CBFO Office of Business. These personnel will perform contracting, purchasing and assistance activities in accordance with EMCBC policies and procedures and within delegated authorities. Additionally, the EMCBC Assistant Director, Office of Contracting will support functional accountability by providing input into the performance appraisals of operational contracting staff who are assigned to CBFO. The Office of Contracting, EMCBC will provide support to the Manager of the CBFO in achieving the goals and objectives of the CBFO.

The CBFO Manager may make determinations consistent with those authorities delegated by the HCA. For those areas not delegated by the HCA, the Manager of the CBFO and EMCBC Office of Contracting will work together to develop and implement solutions

that achieve the objectives established by the Manager of the CBFO. These areas include, but are not limited to, decisions with respect to administration of CBFO contracts (e.g., fee determinations, requests to show cause, contract extensions, etc).

The EMCBC Office of Contracting Review Team will provide the primary independent review function for the EMCBC for sales, contract, financial assistance, and subcontract actions within specified monetary levels.

Pursuant to EM HCA memorandum dated April 16, 2010, the EMCBC Assistant Director, Office of Contracting is delegated Federal Procurement Director Responsibilities for Procurement/Contract actions at/for CBFO. These responsibilities will be executed through a series of procedures which are applicable to all delegated actions.

The EMCBC Office of Contracting will provide support in specific areas, including, but not limited to:

- Assistance in contract, grant, and cooperative agreement award, administration, modification, termination, and closeout;
- Assistance in entering into agreements committing the Department to the sale of products and other services, including funds-in interagency agreements and other agreements providing reimbursable work for others;
- Assistance in all areas of contractor human resource management programs (compensation, benefits, labor relations and workforce transition), including review of contract deliverables and providing recommendations to the Contracting Officer, and coordinating HQ's data calls covering the program areas;
- Coordinating HCA approval of warrant levels for CBFO COs for acquisition, assistance, and sales transactions; documenting Contracting Officer Warrants and Contracting Officers' Representative appointments; developing and maintaining plans, policies, and procedures applicable to the procurement and acquisition support processes;
- Managing and maintaining the Federal Procurement Data Systems (e.g., STRIPES, CPARS, FPDS, etc.) and Subcontracting Reporting System;
- Administering the Small Business Programs;
- Managing the Acquisition Career Development Program in accordance with DOE Order 361.1B; and
- Providing cost and price analysis regarding pre-award proposals, post-award proposals, Requests for Equitable Adjustments, and fee actions such as draft fee plans, payments of Performance Based Incentives, and determinations of award/incentive fee earned. Support CBFO procurement teams, Federal Project Directors, and Contracting Officers as requested in conducting cost/price analysis and in establishing pre-negotiation and final negotiation objectives.



## **Financial Management**

The Manager of the CBFO holds primary authority and makes determinations with respect to establishing budgetary requirements, priorities, expectations, and execution; lifecycle baseline priorities; and project management in support of the CBFO's mission. EMCBC, as the allotment holder, receives CBFO funding allotments and is responsible for the administrative control, finance reporting, and management assurance for those funds. EMCBC will expeditiously distribute funding to CBFO or otherwise disperse funding as directed by CBFO within the approved funding program guidelines. Financial, budget, and internal review personnel located in the CBFO will report to the Manager of the CBFO. The EMCBC will provide financial management support, in the following areas:

The EMCBC Budget Division will support CBFO in the execution, analysis, and preparation of budget submission materials; provide administrative control of funds; develop and maintain budget planning activities and budget controls; and interface with the DOE Chief Financial Officer (CFO), as well as support the DOE CFO interface with Office of Management and Budget (OMB) and congressional committees on appropriations and other budget-related matters. The division will certify funds availability for all CBFO commitment and obligating documents. The division will also periodically report the status of financial resources and results of operations, and will develop reports to support internal and external requirements regarding the financial activity and the integrity of fiscal operations. Additionally, the division will support budget development, and presentation strategy and materials in cooperation with other programs and field offices for submitting DOE/EM's annual budget submission to Congress.

The EMCBC Finance and Review Division will ensure that financial data is recorded accurately and on time in accordance with applicable accounting principles and standards, and that financial reports are accurate, timely, and reliable. The Division also will promote the effective, efficient, and economical operation of programs and operations through contractor reviews, audit liaison activities, and management control assessments.

Specifically, the Division will establish and provide advice on financial policies and general procedural requirements for Federal accounting and reporting. The Division will direct accounting and consolidated financial reporting, including environmental liability reporting, with emphasis on contributing to the issuance of financial statements that receive an unqualified audit opinion, as well as provide accounting services for supported sites, including payroll services, travel reimbursement, and contractor oversight. The Division will process Permanent Change of Station obligations. Further, the Division will provide key support in analyzing accounting and financial issues, and recommending and/or implementing appropriate resolutions. The Division will also be responsible for liaison activities with both internal and external audit/review organizations such as the General Accounting Office (GAO), the Defense Contract Audit Agency (DCAA), and DOE Inspector General. The Division will provide assistance and meaningful financial

analysis information to senior managers, program, and site entities. The Division will provide oversight through objective financial analysis and management reviews, developing and tracking financial performance measures, and administering the Management Control Program. Through contractor reviews, the Division will ensure appropriate performance measures/metrics are incorporated into contracts. The Division will coordinate the annual Federal Managers' Financial Integrity Act (FMFIA) review, and support the "Whistleblower" Program.

### **Cost Estimating and Project Management Support**

The mission of the EMCBC Office of Cost Estimating and Project Management Support (OCE&PMS) is to fully integrate sound cost estimating practices into all of EM's acquisition and project management processes by establishing EM Corporate cost estimating requirements and providing oversight for contractor-developed cost estimates, preparing Independent Government Cost Estimates to support EM Acquisition Center activities, preparing Independent Cost Estimates to support EM project planning and execution needs, performing Independent Cost Reviews of contractor-developed cost estimates, supporting Risk Management Planning activities, and expanding our role in EM's Life-Cycle Planning processes to facilitate development of environmental liability estimates. This office also serves as the EMCBC's Project Management Organization (PMO), whose role is to improve the overall success of EM's Clean-up projects by establishing standards and templates, providing project support through mentoring and resources, and by supporting the planning and execution of strategic, high risk, high cost, and complex EM Clean-up/Closure projects.

OCE&PMS will support CBFO general cost estimating and project management activities and processes. OCE&PMS will also provide specific support to the CBFO as requested using the EMCBC Corporate Activity Resource Request (CARR) procedure.

### **Cost Estimating Team**

The mission of the Cost Estimating team is to provide support in establishing standards, policy, and procedures to ensure that EM cost and schedule estimates are accurate, traceable, and reliable; development of Independent Government Cost Estimates and provide Independent Cost Estimating, and Independent Cost Analysis capability to support EM acquisition and project management program requirements; provide independent cost estimating and analysis support to EM management decisions, the EM Acquisition Advisory Board (EMAAB), and EM budget formulation processes; and lead the development and management of cost and schedule databases, methodologies, and tools needed by EM to improve and standardize its cost estimating and analysis capabilities.

The core cost estimating and analysis functions the EMCBC Cost Estimating team will provide as needed include:



- Acquisition and Contract Management Support
  - Performing life-cycle cost analyses
  - Preparing Independent Government Cost Estimates (IGCE)
  - Perform reasonableness or technical review of costs for contractor-submitted proposals
  - Provide cost engineering support to Acquisition-related Source Evaluation Boards or Contracting Officers
  - Support Contract Close-out activities by capturing actual project costs and integrating actual project cost data to the EM Environmental Cost Analysis System (ECAS)
- Support development or validation of IGCE documentation Project Planning & Execution Support
  - Support Federal Project/Operations Directors (FPD/OAM) and serve on Integrated Project Teams (IPT)
  - Provide support and oversight for contractor-developed cost estimates
  - Prepare Independent Cost Estimates (ICE)
  - Perform Independent Cost Reviews (ICR)
  - Support risk management planning activities
  - Support the establishment project-specific Cost Estimating requirements (tailoring)
  - Support performance evaluation activities ~ trend & cost variance analysis
  - Support development of ICE and ICR documentation prepared by others by conducting peer reviews as requested

### Project Management Support Team

The mission of the Project Management Support team is to identify key project management requirements and provide procedures that will enable accountable EM Small Site Office Managers and Federal Project Directors (FPDs) to effectively carry out their responsibilities for projects. The objective of the EMCBC Project Management System is to ensure that EM delivers its projects on schedule, within budget, and fully capable of meeting mission performance and environmental, safety, and health (ES&H) standards.

The core project management and control functions the EMCBC Project Management Support Team will provide as needed include:

- Lead or perform Independent Project Reviews (IPRs) and Project Peer Reviews as requested by the Manager of CBFO.
- Project management and execution support, including Earned Value Management System (EVMS) setup and administration;
- Lifecycle planning support, including maintenance and oversight of baselines; and Project execution reporting support.

OCE&PMS will provide assistance and support to the Project Director/Site Manager as requested using the EMCBC Corporate Activity Resource Request (CARR) procedure.



## **Information Resource Management**

The EMCBC Office of IRM is responsible for policy, procedures, orders and implementation guidance for activities related to information systems and for assisting the CBFO in IRM related activities including: telecommunications, radio, telephone, and video conferencing services, unclassified computer security, budget analysis, cyber security, hardware and software maintenance and support, telecommunications support, help desk, training, and systems and work flow support.

CBFO has full responsibility for the management and direction of the CBFO IRM program. The EMCBC IRM organization will provide general support on an as-requested basis. The EMCBC Assistant Director for IRM will serve as the point of contact for these activities.

## **Technical Support and Asset Management**

The Personal Property Team will:

- manage Government personal property assigned at the Sites which involves: acquisition planning; identification and markings; property administration; automated inventory records system; physical inventories; reporting requirements; and, disposition and reutilization;
- perform contract administration for Government personal property which includes: acquisition planning; post-award conferences; contract property transition; initial and periodic property management system reviews; property administration and oversight; reporting requirements; property reutilization; contract closeouts and terminations; and, site closure; and
- provide vehicle fleet management support of fleet operations and maintenances; initial authorizations and fleet capacity changes; vehicle disposition/replacement; and, reporting requirements.

The Real Property Team will:

- perform real estate acquisitions and other life cycle management activities of real property through a certified realty specialist. Real property management activities include planning, acquisition, management, condition assessment, utilization, accounting, reporting and disposal of real property. All real estate actions involving federal funds or property whether completed by a site contractor or DOE site management must be reviewed and approved by a DOE Certified Realty Specialist (CRS) before execution. The Real Estate team will provide CRS support for all real estate management functions required by CBFO, including administration of the Facilities Information Management System reporting on an as required or requested basis.

The Environmental Safety Health & Quality Team provides:

- comprehensive and high quality services, oversight and support to the EMCBC, small and closure sites, and the DOE Complex;

- services, oversight and support in the areas of Regulatory Compliance, Safety Management Systems, Quality Assurance , Lessons Learned, Environmental Management Systems, Environmental Compliance, Contractor Assurance, Technical Support and DOE Oversight Assistance; and
- preparation, review and issuance of program procedures and plans, as required to support the mission, and conduct/support audits and surveillance per DOE management guidance.

The Performance Assurance Team provides:

- comprehensive and high quality service and support to the EMCBC, small and closure sites, and the DOE Complex; and
- services and support in the areas of Personnel, Physical, Industrial and Information Security, Emergency Management, Waste Management, Radiation Protection, Technical Qualification Programs, Transportation Management and Lifecycle Records Management. Service and Support will be provided in concert with Contractor Assurance and DOE Oversight requirements.

The Classification Office Team will:

- provide DOE support, document reviews, and contractor oversight activities related to classification and declassification related tasks;
- provide expertise in the review of information owned by the EMCBC and Legacy Management (under a MOU) for classified and sensitive information;
- provide technical consulting resources to the DOE complex in the field of nuclear weapons design, fabrication and attendant disciplines; and
- investigate and review sensitive issues, documents for HQ and other sites, and provide record review/handling, classified scanning operations, and classified records disposition.

The Technical Services Division will:

- assign Cadre Staff to designated projects throughout EM. The EM Cadre provides technical and subject matter environmental remediation, safety, and closure expertise for DOE sites and Projects. Cadre employees have signed mobility agreements and are on-site at several EM closure sites and Projects. The Cadre includes Federal Project Directors, Facility Representatives, Program Managers, and other EMCBC safety and/or technical subject matter experts. The Technical Services Division also manages EMCBC small business contracts to supplement DOE safety and technical oversight support requirements.

### **Legal Support**

The Chief Counsel, for the EMCBC Office of Chief Counsel (OCC), will function as a member of the EMCBC senior management staff under the general management of the EMCBC Director. The OCC Chief Counsel will also function as the Chief Counsel for the CBFO but CBFO will have the presence of local counsel(s). CBFO will retain day-to-day management direction of the CBFO local counsel(s). Although local counsels are assigned to the CBFO they will maintain a professional reporting relationship with the



OCC Chief Counsel. All legal support is rendered under the professional oversight of the Department's General Counsel.

The mission of the OCC is to provide attorney and paralegal services as needed to resolve legal issues arising at the CBFO. These legal matters may include administrative, contract, environmental, personnel and general law issues; ethics; Equal Employment Opportunity (EEO); issues related to divestiture activities in anticipation of, and preparation for, site closure; and, litigation, judicial or administrative, arising from facility operational and programmatic activities. The OCC will function as legal counsel to the CBFO, providing advice, representation and support as required to address legal matters as they arise from the CBFO site operations. As requested by CBFO, OCC will provide support for the CBFO in the execution of their responsibilities including, but not limited to, the areas of the Freedom of Information Act (FOIA); Privacy Act requests; Energy Employee Occupational Illness Compensation Program (EEOICPA); and, request for documents under discovery in litigation claims, FOIA, Privacy Act, EEOICPA.

### **Civil Rights, Diversity and Inclusion**

The Assistant Director, EMCBC Office of Civil Rights and Diversity (OCD), manages and executes the Equal Employment Opportunity (EEO), Diversity and Inclusion Programs for the CBFO and oversee the associated contractor programs. The EMCBC OCD holds primary jurisdiction for processing EEO complaints of discrimination in accordance with 29 CFR Part 1614. The EMCBC OCD provides full-service support to include EEO, Diversity and Inclusion Programs, Affirmative Action Programs, oversight of EEO operations by DOE contractors. The EMCBC OCD administers the Employee Concerns Program (ECP) and serves as the DOE-HQ liaison for ECP documentation, actions and/or reports. The EMCBC OCD will recommend proposed strategies, policies and procedures to the CBFO Manager. The EMCBC OCD will develop and implement approved strategies, policies and procedures for complaint resolution, mitigation and effective EEO, Diversity and Inclusion actions and/or issues. The EMCBC OCD will manage and administer the CBFO's EEO, Diversity and Inclusion Programs, and the Employee Concerns Program.

Responsibilities and services to be performed include, but are not limited to:

- EEO Complaint of Discrimination
  - EEO complaint activities/actions are processed and tracked in compliance with regulations, laws and procedures.
- Affirmative Action Programs
  - Prevent discrimination and eliminate barriers that impede free and open competition; monitor progress, identify areas where barriers may exist to exclude certain groups and develop strategic plans to eliminate those identified barriers.
  - Provide Special Emphasis Program (SEP) support; assist and advise management on matters relating to employment opportunities for minorities, women, persons with disabilities, and disabled veterans;

promotes EEO and diversity principles by developing special activities and/or observances.

- Provide Mandatory EEO training (sexual harassment, EEO updates, etc.) for EMCBC and Customer Sites' managers and employees in accordance with DOE Order 311.1B
- Diversity and Inclusion (D&I) Initiatives
  - Implement and coordinate the participation and/or involvement in D&I Initiatives as defined by DOE-HQ, e.g., D&I Strategic Plan, Secretary of Energy Diversity Awards, Report to the Secretary on Diversity Accomplishments, EEO and diversity policy guidance, etc.
- Employee Concerns Program
  - Identify, investigate and respond to employee concerns in timely manner to improve safety, the work environment and productivity. Facilitate a free and open expression that results in an independent and objective avenue for addressing Federal and Contractor employees' concerns or allegations regarding the environment, safety, health and management issues. Establish and maintain a program that builds employee confidence and their willingness to express concerns.
- Diversity Contractor Oversight
  - Assess the Customer Sites contractors' EEO and diversity programs to ensure compliance with DOE contract requirements, procedures, and Appropriate Federal regulations, Contractor Acquisition Guidance Letters, and FAR and DEAR clauses.
- Diversity Recruitment
  - Manage and execute the EMCBC's and Customer Site's diversity recruitment program. Coordinate recruitment efforts to target highly qualified and diverse entry-level candidates for positions in the EMCBC's Student Intern Program, DOE Scholars Program, and EMCBC Career Intern Program. Provide CBFO with intern/scholar positions and a recommended recruitment plan each year.